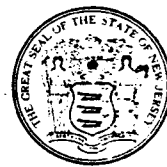




DEPARTMENT OF ENVIRONMENTAL PROTECTION  
(See Issuing Division below)

**PERMIT\***

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1102-00-0002.3		Application No.	
Issuance Date <b>DEC 20 2000</b>	Effective Date <b>DEC 20 2000</b>	Expiration Date <b>DEC 20 2005</b>	
Name and Address of Applicant NJ DOT C/o Walter McGrosky 1035 Trenton Avenue, PO Box 600 Trenton, NJ 08625		Name and Address of Owner	Name and Address of Operator
Location of Activity/Facility (Street Address) Ewing & Hopewell Townships Mercer Lot _____ Block _____		Issuing Division Land Use Regulation Program	Statute(s) NJSA 58:16A-50 NJSA 58:10A NJSA 13:9B
Type of Permit Stream Encroachment		Maximum Approved Capacity, if applicable	

This permit grants permission to:

Construct one new culvert, extend one existing culvert, and construct four stormwater outfall structures with associated retaining walls in connection with the construction of roadway improvements for the I-95/Scotch Road interchange within the floodplain of Ewing Creek, in both Ewing and Hopewell Townships, Mercer County, New Jersey.

Prepared By: \_\_\_\_\_

Keith Stampfel

(See page 5 for Manager's signature.)

Revised Date	Approved by the Department of Environmental Protection	
	Name (Print or Type) _____	Title _____
	Signature _____	Date _____

\*The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

**This permit is subject to the following general conditions:**

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of this permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.

**TERMS AND CONDITIONS:**

IN ADDITION TO THE GENERAL CONDITIONS PRINTED ON THE BACK OF PAGE ONE OF THIS PERMIT, THE FOLLOWING CONDITIONS SHALL ALSO APPLY:

9. Limit and Extent of Approval

- a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
- b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until a new approval has been granted by the Department.

10. Method of Construction

- a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall be subject to inspection at any time by representatives of the Department to ensure the continuous application of the provisions of this permit.
- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
- c. All activities authorized by this permit shall be stabilized in accordance with Standards for Soil Erosion and Sediment Control in New Jersey (obtainable from local Soil Conservation District Offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.

11. Responsibilities of Applicant

- a. The granting of this permit does not in any way relieve the applicant and/or its agents from the responsibility for damages caused by any construction or activities hereby approved, nor does the Department accept responsibility for any structural designs.

## STREAM ENCROACHMENT PERMIT NO. 1102-00-0002.3

## TERMS AND CONDITIONS:

- b. No construction authorized by this permit may begin until the enclosed permit acceptance form has been signed by the applicant and is returned to the Department. By signing and submitting this form, the applicant accepts this permit in its entirety and agrees to adhere to all of its terms and conditions. Please be advised that this permit may be declared null and void should it be determined that adequate measures had not been taken by the applicant and/or its agents to ensure the continuous implementation of these terms and conditions.
- c. Within ten (10) days of the receipt of this permit by the applicant, this permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this permit is located. Verified notice of this action shall be forwarded to the Department immediately thereafter.
- d. The enclosed construction notice shall be completed by the applicant or its agent and submitted to the Department at least fourteen (14) days prior to the commencement of the herein approved activities.
- e. The enclosed completion report shall be completed by a Professional Engineer licensed in the State of New Jersey and submitted to the Department within thirty (30) days after completion of the herein approved activities.

**12. Consistency with Areawide Water Quality Management Plan**

This project has not been reviewed for consistency with the relevant Water Quality Management Plan or the Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15). As such, there is no intended or implied approval regarding additional permits which may be required from the Department. For treatment works approvals, the consistency determination will be performed by the Bureau of Engineering and Permitting (North/South) which may be reached at (609) 292-6894 for North (Middlesex, Hunterdon and counties north) or (609) 633-1169 for South (Mercer, Monmouth and counties south). For general information concerning water quality management planning process, please contact the Office of Environmental Planning at (609) 633-1179.

- 13. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on site. This includes, but is not limited to, the cleaning and inspection of all water quality inlets at least twice a year and after every major storm, and the continuous implementation of appropriate soil conservation practices within any grassed swales, stormwater outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways.
- 14. The applicant must submit a plan showing the location of the basin and the outlet structure on a plan entitled "Stream Encroachment Permit Plan".
- 15. In order to protect the warmwater gamefish within Ewing Creek, any proposed grading or construction activities within the banks of this or any other stream on site are prohibited between May 1 and June 30 of each year. In addition, any activity within the 100-year flood plain or flood hazard area of this watercourse which could introduce sediment into said stream or which

## STREAM ENCROACHMENT PERMIT NO. 1102-00-0002.3

## TERMS AND CONDITIONS:

could cause an increase in the natural level of turbidity is also prohibited during this period. The Department reserves the right to suspend all regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.

16. This permit is conditioned on the applicant taking any and all precautions in order to prevent raw concrete from coming in contact with the waters of Ewing Creek. Be aware that raw concrete is toxic to aquatic life.
17. This permit is conditioned on the culverts having a natural bottom. In addition, any other temporary impacts to the stream must be restored to their previous natural condition.
18. Prior to any construction, the applicant must obtain an approved Individual Permit and Transition area waiver for the proposed roadway expansion.
19. This permit is conditioned on the applicant submitting a landscaping plan for the proposed disturbance area found within 25 feet of the stream bank. Specifically, the applicant must revegetate the disturbance area associated with the 5-meter water quality swale, on sheet 3 of 35 (ST-4) and the disturbances associated with "Ramp5EF" 16 of 35 (ST-36). The landscaping plan must be submitted to Department for review and approval within 60 days of the issuance of this the Department for review and approval within 60 days of the issuance of this permit.
20. The drawings hereby approved are twenty one (21) sheets prepared by Medina Consultants, P.C., dated September 2000, unrevised unless otherwise noted, and entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION INTERSTATE 95 AND SCOTCH ROAD INTERCHANGE CONTRACT NO. 002960525"

"STREAM ENCROACHMENT PERMIT PLAN", sheet nos, 3, 4, 8, 13, 15, 16 & 17 of 35,

"CULVERT LOCATION PLAN", sheet no 18 of 35,

"GENERAL PLAN AND ELEVATION CULVERT NO. 1", sheet no 19 of 35,

"GENERAL PLAN AND ELEVATION CULVERT NO. 2", sheet no. 20 of 35,

"RETAINING WALL NO. 3", sheet no. 21 of 35,

"RETAINING WALL NO. 4", sheet no. 22 of 35,

"RETAINING WALL NO. 5", sheet no. 23 of 35,

"RETAINING WALL NO. 6", sheet no. 24 of 35,

"STAGING PLAN", sheet no. 25 of 35,

## STREAM ENCROACHMENT PERMIT NO. 1102-00-0002.3

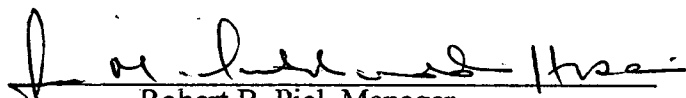
## TERMS AND CONDITIONS:

"CROSS SECTION-STREAM EWING CREEK", sheet no 31, 32, & 33 of 35,

"STREAM PROFILE EWING CREEK", sheet no. 34 of 35, last revised  
September 21, 2000,

"DETAILS", sheet no. 35 of 35, and

"STREAM ENCROACHMENT PERMIT PLAN" sheet no. 14 of 35, last revised  
December 19, 2000.

  
Robert B. Piel, Manager,  
Bureau of Coastal Regulation

12/20/00  
Date